

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

ERIC DAVID VIDAL CRUZ

DEBTOR

CASE NO. 20-04750/EAG

CHAPTER 13

**DEBTOR'S MOTION REQUESTING ORDER
RE: AUTHORIZATION TO USE OF FUNDS FROM 2022 TAX REFUND**

TO THE HONORABLE COURT:

NOW COMES, ERIC DAVID VIDAL CRUZ, the Debtor, through the undersigned attorney, and very respectfully states and prays as follows:

1. The Debtor's confirmed Plan dated January 14, 2022, provides that the Debtor's tax refund will be paid into the Plan. See: Docket No. 15.

2. The Debtor has received his 2022 tax refund in the sum of \$3,361.00. Attached is copy of bank e-statement, which reflects the direct deposit of the 2022 tax refund on March 2, 2023, issued by the Puerto Rico Treasury Department.

3. The Debtor respectfully submits to the Court that he needs to use these funds to pay for: new car tires and water cistern expenses in the sum of \$3,243.98. Attached is copy of estimate/invoice.

4. The Debtor will pay to the Trustee the unused portion or balance in the sum of \$117.02 to fund the confirmed Plan.

5. The Debtor needs to use the funds from the 2022 "tax refund" to pay for this reasonable expense. Furthermore, the Debtor is living within a very "tight" budget which barely covers his living expenses and a Plan payment of \$480.00.

6. The Debtor respectfully requests that once the Trustee receives and applies the aforementioned amount of \$117.02 the confirmed Plan base to increase to \$29,303.85 and the Plan base to be deemed amended for said amount.

7. Based on the above-stated, the Debtor respectfully requests this Court to Order the authorization of the use of these funds for this expense.

8. Based on the above-stated, the Debtor respectfully requests this Court to Order the authorization of the use of these funds for this expense.

WHEREFORE, the Debtor, through the undersigned attorney respectfully requests that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2022 tax refund by the Debtor in the above captioned case.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee; I also certify that a copy of this motion was sent via US Mail to Debtor Eric David Vidal Cruz, to the address of record: Guavate Ward 21403, Sector Inocencia Cruz, Cayey PR 00736.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 28th day of March,
2023.

/s/Roberto Figueroa Carrasquillo
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
USDC 203614
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CAGUAS PR 00726-0186
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EMA TIRE LLC/DBA GOMERA EDWIN
HC-71 BOX 6972
CAYEY, PR. 00736

TEL: (787) 738-8173/8170/F: 738-7755

C-O-T-I-Z-A-C-I-O-N

EMA TIRE LLC/DBA GOMERA EDWIN
GOMAS, BATERIAS, AROS Y ACCESORIOS, ALINEAMIENTO Y BALANCEO COMPUTARIZADO
FRENOS, REPARACION DE TODO TIPO DE TREN DELANTERO
VENDEMOS Y REPARAMOS TODO TIPO DE GOMAS GIGANTES

Vendido a: CASH

No. Cotizacion: 0008991
Fecha: 03/04/2023
Numero Orden...
Unidad

SEQ	CODIGO	CANTIDAD	DESCRIPCION	PRECIO	EXTENSION
001	1856514GYES	4	P 185 65 R 14 GOODYEAR EAGLE SPORT	93.60	374.40
002	BALANCEO14M	4	BALANCEO 14 MAG. ELECTRONICO	7.00	28.00
003	VALVULATR413	4	VALVULA TR 413 NEGRA	3.00	12.00

CELEBRANDO NUESTRO 34 ANIVERSARIO
-GARANTIA EN GOMAS 36 MESES POR-
----DEFECTOS DEL FABRICANTE----

TOTAL DE ARTICULOS { 12.00 }

IMPORTE TOTAL ... \$414.40
MENOS DEPOSITO .. \$. 00

TOTAL COTIZACION.. \$414.40
I.Municipal 1% 4.14
I.Estadal 10.5% 43.51
TOTAL CON TAX \$462.05

Procesado por: MICHAEL MARTINEZ

Fecha: 04-MAR-2023 15:07:09

ESTIMATE

Professional Solar Service Corp

RR 4 Box 27107
Toa Alta PR 00953

7872170503
facturasprofessional@yahoo.com

For Eric Vidal

Estimate Num 253
Date Mar 16, 2023

Description	Quantity	Rate	Amount
Cisterna 3 capas polietileno de 500gls con motor 3/4, presurizado 20gls, boya para nivel de agua en bronce, Reloj para ver las presiones, pluma, llaves de paso de bola, un filtro de 5 micrones, uniones universales, flow switch y 3 ck valve italianos instalado. Le cubre hasta 40 pies de tubería en cobre en el techo. Si se excede de los 40 pies es que viene el costo adicional. Utilizamos un material pex desde el contador hasta una cierta cantidad que utilizamos cobre en el techo. Debe tener un espacio de 8x8 y la parte eléctrica accesible 110.	1	\$2,495.00	\$2,495.00

Thank you for your business.

Subtotal	\$2,495.00
Tax (11.5%)	\$286.93
Total	\$2,781.93
Balance Due	\$2,781.93

Fecha	Descripción		Cantidad
03-02	Depósito EFT	XXXXXX4176	
	Dept de Hacienda Reintegros		3,361.00
03-07	Depósito ATH	03-07 4160	
	Cayey Montellanos 3		240.00
03-14	Depósito EFT	XXXXXX1050	